



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF THE
REGIONAL
ADMINISTRATOR

The Honorable JoDe Goudy
Chairman, Yakama Tribal Council
Post Office Box 151
Fort Road
Toppenish, Washington 98948

Dear Mr. Goudy:

Thank you for your letter to Ms. Gina McCarthy, Administrator for the U.S. Environmental Protection Agency, dated March 31, 2016. We appreciate you taking the time to write to us requesting a government-to-government consultation with the EPA Administrator regarding the Proposed Plan for the Portland Harbor Superfund site. Administrator McCarthy has asked that I respond to you on her behalf.

In your letter you discussed the consultation that Jim Woolford, Director of our national Superfund program and I held with your Council in February. We met with you to discuss cleanup alternatives described in the Feasibility Study, and the Council expressed concern that none of the alternatives will adequately protect human health or Treaty resources. Your letter raised three critical issues about whether EPA will consider a more protective remedy, avoid reliance on monitored natural attenuation and engage with the Yakama Nation as a sovereign partner apart from the formal public comment requirement. You also requested to consult with the Administrator, who will sign the Record of Decision.

We believe it is important to hold a formal consultation on the Portland Harbor Proposed Plan, where we can discuss the issues that you raised in this letter along with other issues and questions you may have. Joanne Chase, Director of the American Indian Environmental Office will follow up on your request and seek to schedule a time for a government-to-government consultation between the Yakama Tribal Council and Administrator McCarthy.

Again, thank you for contacting the EPA. If you have any questions, please feel free to contact me or have your staff contact Deborah Robinson, who is our Portland Harbor Project Coordinator. You can reach her by telephone at (206) 553-4961 or by email at robinson.deborah@epa.gov.

Sincerely,

Dennis J. McLerran
Regional Administrator

cc: Gerald Lewis, Assistant Secretary, Tribal Council
Yakama Nation

Delano Saluskin, Tribal Council Member
Yakama Nation

Davis Washines, Chairman, General Council
Yakama Nation

Phil Rigdon, Superintendent, Department of Natural Resources
Yakama Nation

Paul Ward, Fisheries Manager, Department of Natural Resources
Yakama Nation

Rose Longoria, Yakama Nation Fisheries Superfund Coordinator
Yakama Nation

Jim Woolford, Director Office of Superfund Remediation and Technology Innovation
Environmental Protection Agency

Joann Chase, Director, American Indian Environmental Office
Environmental Protection Agency

Jim Woods, Senior Tribal Policy Advisor
Environmental Protection Agency